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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/785,352 | 02/16/2001 | Phuoc M. Thai | 68528 | 3499 |

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| EXAMINER |
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VENT, JAMIE J

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| ART UNIT | PAPER NUMBER |
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2616

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,352

Applicant(s)

THAI, PHUOC M.

Examiner

Jamie Vent

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/16/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being unpatentable by Daniels (US 2005/0060756).

[claim 1]

In regard to Claim 1, Daniels discloses a digital network recorder comprising:

- a digital storage device including audio/video editing software (Figure 1b shows a digital storage device wherein audio/video editing software as further disclosed in Paragraph 0111);
- a television signal input coupled to the digital storage device (Figure 2a element 30 receives broadcast television signal as further described in paragraph 0093);
- a video/audio input coupled to the digital storage device (Figure 1b shows an input receiving means 32 which receives both audio and video input into the system);
- a processor coupled to the digital storage device (Figure 1b microprocessor 24 controls and processes data into the data storage device); and
- a television signal output coupled to the digital storage device, wherein the digital storage device stores television signals from the television signal input, audio

signals from the audio input and video signals from the video input (Figure 2 shows the output means of the television signal that is inputted to the system and further processed through recording and playback).

[claim 2]

In regard to Claim 2, Daniels discloses a digital network recorder wherein the digital storage device comprises a hard drive (Paragraph 0116 describes that a storage device for the system can include a hard drive).

[claim 3]

In regard to Claim 3, Daniels discloses a digital network recorder comprising a random access memory coupled to the processor (Paragraph 0070 describes the digital network recording comprising a random access memory (RAM)).

[claim 4]

In regard to Claim 4, Daniels discloses a digital network recorder wherein the audio/video editing software enables a user to create an audio/video edit file including portions of the television signals and portions of the one or more of the audio signals and the video signals (Figure 4k shows the process of the audio/video editing that is completed on the received television and thereby recorded and edited by the user instructions as further disclosed in Paragraphs 0068-0072).

[claim 5]

In regard to Claim 5, Daniels discloses a digital network recorder wherein the television signal input receives live television signals broadcast from a television service provider (Figure 2 shows the receiving of live television signals from a television service provider as further disclosed in paragraph 0093).

[claims 6 & 7]

In regard to Claims 6 and 7, Daniels discloses a digital network recorder wherein the audio/video input receives recorded audio signals from an external audio/video source (Figures 4a and 4b shows the receiving of audio and video signals from the external source of a camera).

[claim 8]

In regard to Claim 8, Daniels discloses a digital network recorder comprising an audio/video output for exporting the audio/video edit file to an external device (Figure 2 shows the output to external devices of various recording mediums).

[claim 9]

In regard to Claim 9, Daniels discloses a digital network recorder wherein the external device comprises a device selected from a group consisting of: a camcorder, an external hard drive, and a memory stick (Figure 4a shows an external device consisting of a camcorder).

[claim 10]

In regard to Claim 10, Daniels discloses a digital network recorder wherein the audio input and the video input comprise a signal integrated audio/video input (Figure 1a and 1b shows the input of the audio and video input through a signal integrated audio/video input of the input receiving means 32).

[claim 11]

In regard to Claim 11, Daniels discloses a digital network recorder comprising a housing, wherein the housing contains the digital storage device, the television signal input, the video input, the audio input, the processor and the television signal output (Figure 2 shows a system that houses a digital storage device 40, television input 30, input/supplying means 42, and processing means 24).

[claim 12]

In regard to Claim 12, Daniels discloses a digital network recorder wherein video input further comprises a digital image input for receiving digital images from a digital camera (Paragraph 0013 discloses a digital camera that is used to input and record A/V signals).

[claim 13]

In regard to Claim 13, Daniels discloses an audio/video editing system, as previously disclosed in Claim 1 with the additional limitations:

- a television coupled to a first output of the digital network recorder (Figure 2 shows the coupling of a television to the digital network recorder);
- an external audio/video source coupled to a second input of the digital network recorder (Figure 4a and 4b shows an external audio/video source into the digital network recording system); and
- an external memory device coupled to a second output of the digital network recorder (Figure 2 further shows an external memory device for recording the various inputted A/V signals).

[claim 14]

In regard to Claim 14, Daniels discloses an audio/video editing system wherein the external audio/video source is selected from a group consisting of: a video recorder, a music player and a camera (Figure 4a and 4b shows a camera/video recorder).

[claim 15]

In regard to Claim 15, Daniels discloses an audio/video editing system as previously disclosed in independent claim 13, with additional limitation of

- a television signal output coupled to the digital storage device and for transmitting television signals to the television, wherein the digital storage device stores the input television signal and the audio/video signals from the external

audio/video source(Figure 2 shows the output means of the television signal that is inputted to the system and further processed through recording and playback).

[claim 16]

In regard to Claim 16, Daniels discloses an audio/video editing system wherein the audio/video editing software enables a user to create an audio/video edit file including portions of the input television signal and portions of the audio/video signals (Figure 4k shows the process of the audio/video editing that is completed on the received television and thereby recorded and edited by the user instructions as further disclosed in Paragraphs 0068-0072).

[claim 17]

In regard to Claim 17, Daniels discloses an audio/video editing system as previously disclosed in independent claim 13.

[claim 18]

In regard to Claim 18, Daniels discloses a method comprising exporting the audio/video edit file for remote storage (Figure 5 shows exporting A/V through recording medium 16).

[claim 19]

In regard to Claim 19, Daniels discloses a method of outputting the audio/video edit file for display on a television (Figure 5 shows a displaying means 44 which outputs the various editing information to the user).

[claim 20]

In regard to Claim 20, Daniels discloses a method of outputting the live television signal to a television (Figure 5 shows the displaying means that outputs live television signal as further seen in Figure 9 wherein a method is described for outputting signals).

[claim 21]

In regard to Claim 21, Daniels discloses a method wherein the recorded video signal comprises a recorded digital image from a digital camera (Paragraph 0093 describes the recording of digital images through a digital camera wherein is inputted into the recording system).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Foreman et al (US 2004/0071441);
- Logan et al (US 2003/0093790).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 571-272-7375. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamie Vent
04/01/05



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